

Notice of Allowability

Application No.

09/891,548

Examiner

Inder P. Mehra

Applicant(s)

SMOLINSKE ET AL.

Art Unit

2666

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment dated: 6/15/2005.
2. ☒ The allowed claim(s) is/are 1, 3-14 and 16-21 (Renumbered as 1-19 respectively).
3. ☒ The drawings filed on 26 June 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 8/16/05.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

DETAILED ACTION

1. This office action is in response to amendment dated:7/15/2005.

EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Brian Mancini, Attorney, Regd. No. 39,288 on 8/11/05. The application has been amended as follows:

In claim 16, line 2, "---capable of---" has been changed to "---for---".

In claim 16 line 6, "---capable of---" has been changed to "---for---".

In claim 16 line 8, "---capable of---" has been changed to "---for---".

In claim 16 line 10, "---capable of---" has been changed to "---for---".

In claim 17, line 2, "---capable of---" has been changed to "---for---".

In claim 18, line 2, "---capable of---" has been changed to "---for---".

In claim 19, line 2, "---capable of---" has been changed to "---for---".

In claim 20, line 2, "---capable of---" has been changed to "---for---".

In claim 20, line 8, "---capable of---" has been changed to "---for---".

In claim 20, line 9, "---capable of---" has been changed to "---for---".

In claim 20, line 10, "---capable of---" has been changed to "---for---".

Art Unit: 2666

In claim 21, line 2, “---capable of---” has been changed to “---for---”.

Allowable Subject Matter

3. Claims 1,3-14, and 16-21 are allowed.

REASONS FOR ALLOWANCE

4. The following is an examiner’s statement of reasons for allowance:
- a. The prior art of record does not disclose, teach or suggest directly or indirectly the following limitations in combination with other limitations of the claims:

As recited by claims 1 and 16,

“receiving, by the PCU, an indication that the packet data resources reserved have been used to establish the uplink connection. wherein the packet data resources comprise at least one timeslot of a packet data channel a timing advance index and a temporary flow identifier”.

As recited by claims 13 and 20,

“transmitting by the BTS to the communication unit, an assignment message identifying the packet data resources assigned to the communication unit, wherein the packet data resources comprise at least one timeslot of a packet data channel a timing advance index and a temporary flow identifier”.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

Art Unit: 2666

fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Inder P. Mehra whose telephone number is 571-272-3170. The examiner can normally be reached on Monday through Friday from 8AM to 5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema Rao can be reached on 571-272-3174. The fax phone number for the organization where this application or proceeding is assigned is 571.273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Inder Pal Mehra 8/16/05
Inder P Mehra
Examiner
Art Unit 2666


DANG TON
PRIMARY EXAMINER